

CHRISTENSEN JAMES & MARTIN

Evan L. James, Esq. (7760)

Laura J. Wolff, Esq. (6869)

7440 W. Sahara Avenue

Las Vegas, Nevada 89117

Telephone: (702) 255-1718

Facsimile: (702) 255-0871

Email: elj@cjmlv.com, ljw@cjmlv.com

*Attorneys for California Ironworkers Field Pension Trust,**California Ironworkers Field Welfare Trust, California and**Vicinity Field Ironworkers Annuity Fund, California Field**Ironworkers Vacation Trust Fund, California Field Ironworkers**Apprenticeship Training and Journeyman Retraining Fund,**Ironworkers Workers' Compensation Trust, California Field**Ironworkers Administrative Trust, and California**Field Ironworkers Labor Management Cooperative Trust***UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

The Trustees of the California
Ironworkers Field Pension Trust,
California Ironworkers Field Welfare
Trust, California and Vicinity Field
Ironworkers Annuity Fund, California
Field Ironworkers Vacation Trust Fund,
California Field Ironworkers
Apprenticeship Training and Journeyman
Retraining Fund, Ironworkers Workers'
Compensation Trust, California Field
Ironworkers Administrative Trust, and
California Field Ironworkers Labor
Management Cooperative Trust,

Plaintiffs,

vs.

Freyssinet, Inc., a Delaware corporation;
Western Surety Company, a South
Dakota Company; M. A. Mortenson
Company, a Minnesota corporation;

Case No.: 2:20-cv-01519-RFB-EJY

**STIPULATION AND ORDER TO
EXTEND TIME FOR DEFENDANTS
FREYSSINET, INC. AND WESTERN
SURETY COMPANY TO RESPOND TO
THE COMPLAINT**

(FIRST REQUEST)

1 McCarthy Building Companies, Inc., a
2 Missouri corporation; Federal Insurance
3 Company, an Illinois corporation; and
4 Mortenson-McCarthy Las Vegas
5 Stadium, a Joint Venture, a general
6 partnership; Merchants Bonding
7 Company, an Iowa Company; Travelers
8 Casualty and Surety Company of
9 America, a Connecticut surety; John Does
10 I-XX, inclusive; and Roe Entities I-XX,
11 inclusive,

Defendants.

12 WHEREAS, Plaintiffs have served Defendants Freyssinet Inc. (“Freyssinet”)
13 and Western Surety Company (“Western Surety”) with their Complaint;

14 WHEREAS, Freyssinet’s responsive pleading is due on December 6, 2020
15 and Western Surety’s is due on October 25, 2020;

16 WHEREAS, Western Surety has tendered its defense to Freyssinet and
17 Freyssinet is evaluating that tender;

18 WHEREAS, the parties are actively engaged in settlement discussions;

19 WHEREAS, Plaintiffs and Freyssinet have agreed that extending the due date
20 for Freyssinet’s and Western Surety’s respective responsive pleadings will allow
21 Freyssinet time to evaluate Western Surety’s tender and will allow the parties time
22 to further engage in meaningful settlement discussions that could resolve the case or
23 reduce the scope of the issues in dispute;

24 WHEREFORE, IT IS HEREBY STIPULATED by Plaintiffs and Freyssinet,
25 by and through their undersigned counsel of record, that pursuant to LR IA 6.1, that
26 Freyssinet and Western Surety shall have up to and including December 6, 2020
27 within which to answer or otherwise respond to the Complaint.

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1 This is the first stipulation to extend time by which Freyssinet and Western Surety
2 must respond to the complaint.

3 Dated this 23rd day of October, 2020.

4 CHRISTENSEN JAMES & MARTIN

COZEN O'CONNOR

5 By: /s/ Laura J. Wolff
6 Laura J. Wolff, Esq. (6869)
7 Evan L. James, Esq. (7760)
8 7440 W. Sahara Avenue
9 Las Vegas, Nevada 89117
10 Tel: (702) 255-1718
11 Fax: (702) 255-0871
12 Email: ljw@cjmlv.com;
13 elj@cjmlv.com
14 *Attorneys for Plaintiffs*

By: /s/ Michael W. Melendez
Michael W. Melendez, Esq. (6741)
3753 Howard Hughes Parkway, Suite 200
Las Vegas, NV 89169
Tel: (415) 593-9610
Fax: (415) 692-3688
Email: mmelendez@cozen.com
Attorneys for Defendant Freyssinet, Inc.

17 IT IS SO ORDERED:

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20 UNITED STATES MAGISTRATE JUDGE

21 Dated: October 26, 2020